IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
FRIDAY THE SECOND DAY OF JULY
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO : 25176 of 1999

Between:

Mr.Sripati Ram Mohan Rao, S/o. Sripati Sarangapani Naidu.
R/o. plot No.183/A, H.No. 8-2-293/82/A/183/A, Road No.15,
Jubilee hills, Hyderabad.

..... PETITIONER

AND

1 The Special Officer & Competent Authority,
Urban Land Ceiling, M.J.Road,
Hyderabad.
2 The Principal Secretary to the Government,
Revenue (U.C.II) Department, Secretariat, Government of A.P.
Hyderabad.
3 The Mandal Revenue Officer,
Golconda Mandal, Hyderabad.
4 The Secretary,
Jubilee Hills Co-op. House Building Society, Jubilee Hills,
Hyderabad rep.by its secretary.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order or writ more particularly in the nature of Writ of Mandamus declaring the action of the Respondents No. 1,2 and 3 in publishing a notification bearing No. E2/4/85 in A.P.Gazette No.25 dated 24/06/1999 at page Nos.839 & 840 of Part II and subsequently issuing the notice bearing No. E2/4/85 dated 30/10/1999 under Sub Section 5 of Section 10 of the Urban Land (Ceiling & Regulation) Act, 1976 without considering the application of Late Smt S.Sridevi under section 20(1) of the Urban Land (Ceiling & Regulation) Act, 1976 forwarded under Ref. 337/UC.II/85-1 dated 13/05/1985, followed by the representation dated 26/11/1991 in response to Memo dated 20/11/1991, as arbitrary, discriminatory, illegal and violated fundamental rights under Article 14 and 300-A of the Constitution of India.

For the Petitioner: MR.DEEPAK BHATTACHARJEE

For the Respondent Nos.1 to 3: GP FOR REVENUE

For the Respondent No.4: none appeared.

The Court Made the Following :

ORAL ORDER

This writ petition is filed, questioning the notification issued under Section 10(5) of the Urban Land Ceiling Act,1976.

During the pendency of the Writ petition, Government has issued G.O.Ms.No.456, dated 29-07-2002, to grant exemption to the excess land on payment of consideration. The petitioner also filed an affidavit expressing his intention to avail benefit under the above said G.O.

In that view of the matter, I dispose of the writ petition, permitting the petitioner to seek regularization of excess land as per G.O.Ms.No.456, dated 29-07-2002. Further, it is observed that if any adverse order is passed, it is open for the petitioner to approach this Court.

Subject to above direction, the writ petition is disposed of. No costs.

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R.SUBHASH REDDY,J

Dated: 02-07-2004.

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TO

1. The Special Officer & Competent Authority,

Urban Land Ceiling, M.J.Road,
Hyderabad.

2 The Principal Secretary to the Govt.,
Revenue (U.C.II) Department, Secretariat,
Hyderabad.

3 The Mandal Revenue Officer,
Golconda Mandal, Hyderabad.

4. TWO C.Cs to G.P for Revenue(OUT)

5. TWO C.D.copies